

MAL
MIP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2007 DEC 12 AM 9:26

Magistrate Docket No.

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COMPLAINT FOR VIOLATION OF:

BY Y. A. X. DEPUTY

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

'07 MJ 2878

UNITED STATES OF AMERICA,

Plaintiff,

v.

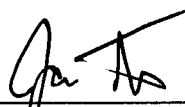
Salustio SALGADO-Ramon,

Defendant

The undersigned complainant, being duly sworn, states:

On or about **December 11, 2007** within the Southern District of California, defendant, **Salustio SALGADO-Ramon**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

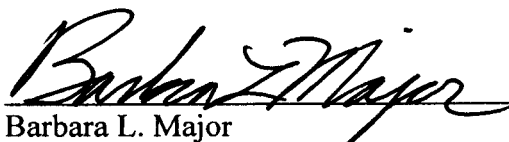
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 12th DAY OF DECEMBER
2007



Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

MIP

PROBABLE CAUSE STATEMENT

On December 11, 2007, at approximately 9:00 a.m., Border Patrol Agent C. Walker and Supervisory Border Patrol Agent D. Dailey were about to leave a residence in the 3500 block of Wilson Ave. in San Diego, California after serving a search warrant. The service of the search warrant resulted in the apprehension of two illegal aliens, drug paraphernalia, Crystal Methamphetamine, various firearms, and other weapons.

As the Agents were loading up their equipment, a vehicle arrived and stopped in near the property. A hispanic male walked toward the target address. The subject was later identified as the defendant **Salustio SALGADO-Ramon**. The defendant saw the agents in their raid attire and noticeably became nervous and began looking around as if to find a direction in which to run. The defendant then dropped bags that he was carrying. The Agents approached the defendant and identified themselves as Border Patrol Agents. He then turned his back to the Agents and placed his hands behind his back as if he were waiting for handcuffs to be placed on his wrists. Agent Dailey conducted an immigration inspection on the defendant. The defendant freely admitted to being in the United States illegally. He further stated that he was not in possession of any immigration documents that would allow him to be in or remain in the United States legally. The defendant was arrested and transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on March 15, 2002 through Nogales, Arizona**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights and stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted to being a citizen and national of Mexico, and that he is present without immigration documents that would allow him to enter or remain in the United States legally.